

March 18, 2021

Rockville Centre, New York

The Board of Trustees held a Special Meeting on the above date via video conference call at 6:00 p.m. due to the Covid-19 pandemic health emergency, and in compliance with Executive Orders issued by Governor Cuomo. All participants were on the video conference call at the same time, and all participants were able to hear each other. The public was afforded an opportunity to participate in the meeting by video conference and/or telephone call. The meeting was recorded, and the transcription is on file in the Village office. The recording is available on the Village website.

**PRESENT:** Mayor Francis X. Murray, Deputy Mayor Kathy Baxley, Trustees Michael Sepe, Emilio F. Grillo and Nancy Howard.

**ALSO PRESENT:** Village Administrator Kathleen Murray, Village Attorney A. Thomas Levin, Village Comptroller Dennis Morgan, Police Commissioner James Vafeades, Superintendent of Building Patrick D. O'Brien, Village Engineer Kevin Reilly, Director of Public Works Administration Gwynne Feiner, Director of Public Works Operations John Thorp, Acting Superintendent of Electric Eileen Foglietta, Deputy Clerk Wendy Weinstock, Deputy Superintendent of Recreation Karen Polito, Community Development Director Suzanne Sullivan, Public Relations Counsel Julie Grilli, and Secretary to the Board Lisa Butler.

**ATTENDANCE:** 15 people

Village Administrator Kathleen Murray read a statement regarding the circumstances under which the meeting was held. See the recording of the meeting for the full text of the statement.

Superintendent of Building Patrick D. O'Brien announced that Exterior Design Review Case No. 02-2021 24 Hawthorne Avenue will be postponed until the April 5, 2021 Board of Trustees Meeting at 7:00pm.

**ACB Case #04-2021 9 Heyward Lane**

Superintendent of Building Patrick D. O'Brien introduced Architect H. Bradford Gustavson R.A, the owners Jon and Tara Moore proposes to construct additions and alterations to an existing single family dwelling.

Mr. Gustavson presented the plans to the Board for their review and questions.

After hearing all persons who wished to be heard, on motion of Trustee Sepe, duly seconded by Trustee Baxley and unanimously carried, the Board closed the Public Hearing with respect to 9 Heyward Lane. For details of the comments and discussions from the Board and public please refer to the recording on the Village Website.

March 18, 2021

Rockville Centre, New York

On motion of Trustee Baxley, duly seconded by Trustee Sepe and unanimously carried, the Board approved the Exterior Design Review Case #04-2021. For details of the comments and discussions from the Board and public please refer to the video.

Village Administrator Kathleen Murray opened a continued Public Hearing with respect to Bill RVC 2021A. a local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c. This hearing was continued from the March 1, 2021 Board of Trustees Meeting.

After hearing all interested persons in attendance, on motion of Trustee Grillo, duly seconded by Trustee Sepe and unanimously carried, the Board voted to close the public hearing regarding a property tax levy in excess of the limit established in General Municipal Law §3-c.

On motion of Trustee Grillo, duly seconded by Trustee Sepe and unanimously carried, the Board adopted proposed Bill RVC 2021A. as Local Law 2 of 2021. A copy of the local law is on file with these minutes.

For details of the comments and discussions from the Board and public please refer to the recording on the Village website

Village Administrator Kathleen Murray opened a continued Public Hearing with respect to the New York State Police Reform and Reinvention Collaborative Plan. This hearing was continued from the March 1, 2021 Board of Trustees Meeting.

After hearing all interested persons in attendance, on motion of Trustee Howard, duly seconded by Trustee Baxley and unanimously carried, the Board closed the public hearing regarding the New York State Police Reform and Reinvention Collaborative Plan.

On motion of Trustee Sepe, duly seconded by Trustee Grillo and unanimously carried, the Board adopted the following New York State Police Reform and Reinvention Collaborative Plan Resolution.

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**RESOLUTION ADOPTING  
NEW YORK STATE POLICE REFORM AND REINVENTION COLLABORATIVE PLAN**

**WHEREAS, pursuant to Executive Order No. 203 issued by Governor Andrew M. Cuomo on June 12, 2020 all New York State local governments with police departments are required to undertake a comprehensive review of current police force deployments, strategies, policies, procedures, and practices; and**

**WHEREAS, the Village of Rockville Centre (“Village”) has undertaken such comprehensive review, and has developed a plan to improve such deployments, strategies, policies, procedures, and practices (the “Plan”); and**

**WHEREAS, the Village has consulted with stakeholders (including but not limited to: membership and leadership of the local police force; members of the community, with emphasis in areas with high numbers of police and community interactions; interested non-profit and faith-based community groups; the local office of the district attorney; the local public defender; and local elected officials) regarding the Plan; and**

**WHEREAS, the Village has offered the Plan in draft form for public comment to all citizens in the locality and, prior to adoption of the Plan by the local legislative body, has conducted public hearings to receive public comment, and has considered the comments submitted;**

**NOW, THEREFORE, BE IT**

**RESOLVED, that the Board of Trustees finds and concludes that the adoption of the Plan is in compliance with Executive Order 203, and is in the best interests of the Village and its residents; and it is further**

**RESOLVED, that the Board of Trustees hereby adopts the Plan in the form presented at the March 28, 2021 meeting of the Board of Trustees, which Plan is on file in the Village office; and it is further**

**RESOLVED, that the Mayor is authorized and directed to complete and submit certification of the adoption of the Plan, and a copy of the Plan, to the Director of the New York State Division of the Budget on or before April 1, 2021 at EO203Certification@budget.ny.gov , and at such other address(es) as may be appropriate or required.**

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For details of the comments and discussions from the Board and public please refer to the recording on the Village website.

Mayor Murray made the appointments of new hires, promotions and other appointments as shown on the list of "Managerial & Confidential and Part Time Employees from January 29, 2021 Through March 22, 2021" on file in the Village office together with these minutes.

On motion of Trustee Baxley, duly seconded by Trustee Grillo and unanimously carried, the Board approved the new hires, promotions and appointments, and the compensation rates for Managerial & Confidential and Part Time employees from January 29, 2021 through March 22, 2021, effective on the respective dates indicated on the full list.

Agenda items IV (2) was removed from the agenda.

March 18, 2021

Rockville Centre, New York

On motion of Trustee Grillo, duly seconded by Trustee Howard and unanimously carried the Board approved a professional service contract with H2M Architects, Engineers, Land Surveying and Landscape Architecture, D.P.C., to provide consulting engineering services associated with the preparation of the 2020 Annual Water Supply Statement and Consumer Confidence Report as required by the New York State Department of Health and the Nassau County Department of Health for a cost not to exceed \$3,300.00-.

On motion of Trustee Baxley, duly seconded by Trustee Howard and unanimously carried the Board authorized the Mayor or his designee to execute an agreement with Cogsdale Corporation for programing services for an amount not to exceed \$11,220.00-.

On motion of Trustee Howard, duly seconded by Trustee Grillo and unanimously carried the Board adopted the following resolution designating property of the Department of Public Works as surplus.

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**RESOLUTION DESIGNATING  
 PROPERTY AS SURPLUS**

**Whereas, the Village of Rockville Centre (“Village”) heretofore acquired various equipment and property which thereafter has been used for various purposes; and**

**WHEREAS, such property is no longer needed, or has reached the end of its useful life for the Village, to the extent that it is no longer reasonable or feasible for the Village to continue to own and maintain such property;**

**NOW, THEREFORE, BE IT**

**RESOLVED, that the Board of Trustees of the Village of Rockville Centre, in regular session duly convened, does hereby declare the following equipment to be surplus, and authorizes and directs the Village Purchasing Department to solicit proposals for the sale of such equipment in its present and existing condition, and location, and without any warranties, express or implied, and submit the same to the Village Administrator:**

<b>Item/Model</b>	<b>Serial Number/VIN</b>	<b>Dimensions Height/Width/Weight</b>	<b>Estimated Value</b>
<b>Dodge pick-up RAM 2500</b>	<b>3D7LT2ET9BG611765</b>		<b>\$250.00</b>
<b>2011 Ford Crown Victoria Old PD 177</b>	<b>2FABP7BV4BX121064</b>	<b>Mileage 68,300</b>	<b>\$200.00</b>

March 18, 2021

Rockville Centre, New York

**and it is further**

**RESOLVED, that the Board of Trustees hereby delegates to the Village Administrator the power and authority to designate or select the purchaser, or other disposition, of each such vehicle, equipment or property based upon a determination as to which proposal is in the best interests of the Village and consistent with applicable legal requirements, and it is further**

**RESOLVED, that the Mayor, or his designee, is authorized to execute and deliver a bill of sale or such other documentation as may reasonably be required to effectuate the transfer of each such vehicle, equipment or property to its approved purchaser upon payment in full for the purchase price for such vehicle, equipment or property.**

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Agenda items IV (6) was removed from the agenda.

On motion of Trustee Baxley, duly seconded by Trustee Howard and unanimously carried the Board approved personal services contract with Cosmo DeLillo to provide Qualified persons to officiate at sports activities including basketball games in the Villages Recreation Center program during the period of 5/1/21 through 8/31/21 for a cost not to exceed \$3,400.00-.

On motion of Trustee Baxley, duly seconded by Trustee Howard and unanimously carried the Board approved personal services contract with Larry Mandel, d/b/a L & M Sports, to provide qualified persons to officiate at sports activities including softball games in the Villages Recreation Center Program during the period of 4/1/21 through 3/31/22.

On motion of Trustee Grillo, duly seconded by Trustee Sepe and unanimously carried the Board approved professional services contract with D & B Engineers and Architects, P.C. for engineering and MS4 Permit Compliance activities at a cost not to exceed \$8,000.00 Activities include: 2020 SWMP Annual Report, Facility, Construction Site and SMP Inventories, Updating SWMP documents, Public Education and Outreach Materials and Municipal SWMP Training.

After discussion, on motion of Trustee Howard, duly seconded by Trustee Baxley and unanimously carried the Board adopted the Village of Rockville Centre Health Emergency Operations Plan. A copy of the plan is filed with these minutes.

March 18, 2021

Rockville Centre, New York

On motion of Trustee Howard, duly seconded by Trustee Sepe and unanimously carried the Board adopted the following SEQRA Negative Declaration Resolution for discontinuance of portions of streets, and amendment of the Village official map.

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**SEQRA NEGATIVE DECLARATION  
 AMENDMENT OF OFFICIAL MAP**

WHEREAS, the Board of Trustees ("Board") is considering approval of amendments to the Village Official Map, and related actions, to reflect discontinuance of portions of Brooklyn Avenue, Chestnut Street and State Streets as public streets, and to establishment of a new public street to be known as Birch Lane, with respect to which a public hearing is scheduled to be held on April 29, 2021; and

WHEREAS, the Board has reviewed a Short Environmental Assessment Form with respect to such proposed actions,

NOW, THEREFORE, BE IT

RESOLVED, that the Board hereby finds and concludes that

(a) the Board is the Lead Agency for review of environmental impact of the proposed actions;

(b) the proposed actions are classified as an Unlisted Action pursuant to the State Environmental Quality Review Act and its implementing regulations (hereinafter collectively referred to as "SEQRA");

(c) the Board has considered an Environmental Assessment Form prepared with respect to the proposed actions;

(d) in the course of the said review, the Board has considered the following factors, among others, and hereby makes the following findings with respect to each of the following factors:

(i) the proposed actions would not result in any substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels, nor any substantial increase in solid waste production, nor create a substantial increase in the potential for erosion, flooding, leaching or drainage problems;

(ii) the proposed actions would not result in the removal or destruction of large quantities of vegetation or fauna, substantial interference with the movement of any resident or migratory fish or wildlife species, impacts on a significant habitat area, substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species, or other significant adverse impacts to natural resources;

(iii) the proposed actions would not impair the environmental characteristics of any Critical Environmental Area;

(iv) the proposed actions would not conflict with the community's current plans or goals as official approved or adopted;

(v) the proposed actions would not impair the character or quality of important historical, archeological, architectural or aesthetic resources or of existing community or neighborhood character;

(vi) the proposed actions would not result in a major change in the use of either the quantity or type of energy;

(vii) the proposed actions would not create a hazard to human health;

(viii) the proposed actions would not create a substantial change in the use , or intensity of use, of land, including agricultural, open space or recreational resources, or in its capacity to support existing uses;

(ix) the proposed actions would not encourage or attract large numbers of persons to any place for more than a few days, compared to the number who would come to such place without such action;

(x) the proposed actions would not create changes in two or more elements of the environment, but when taken considered together would result in a substantial adverse impact on the environment;

(xi) the proposed actions would not create substantial adverse impacts when considered cumulatively with any other actions, proposed or in process;

(xii) the proposed actions would not result in substantial adverse impact with respect to any relevant environmental consideration, including noise, aesthetics, traffic, air quality, water quality or adequacy of water supply, drainage, soil conditions, or quality of life in the community in general and the immediate neighborhood in particular; and

(e) the Board further finds and determines that;

(i) the proposed actions would not have a significant adverse environmental impact;

(ii) minor and/or insignificant environmental impacts which may result from the proposed actions will be reviewed, and in the event the same should be necessary in the opinion of the Board, can be dealt with by the imposition of appropriate conditions in the event of approval of the proposed actions or any of them; and it is further

RESOLVED, that the Mayor is authorized on behalf of the Village to execute Parts 2 and 3 of the Environmental Assessment Form in accordance with the foregoing findings and determination.

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On motion of Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried the Board adopted the following resolution to publish a legal notice for a public hearing regarding discontinuance of portions of streets, and amendment of the Village official map.

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**RESOLUTION**

**Publication of legal notice for public hearing  
Amendment of Official Map and Discontinuance of Portions of Streets**

**WHEREAS, the Village Board of Trustees is considering amendment of the Village Official Map in conjunction with discontinuance of portions of public streets known as Brooklyn Avenue, Chestnut Street and State Street, and the addition of a new public street to be known as Birch Lane; and**

**WHEREAS, a public hearing is required for such proposed actions, and a legal notice is required to announce the subject, time and place of the public hearing,**

**IT IS HEREBY RESOLVED that the Village Administrator shall cause legal notice to be given as required by law, including publication in the next available edition of the official newspaper of the Village of Rockville Centre, to announce that a public hearing will commence on April 29, 2021, at 6:00**

pm, and to give such other notice of the date, time and place of such hearing as may be required by law, and it is further

**RESOLVED**, that the Village Administrator shall cause notice of such public hearing and such proposed actions to be given to the Village Planning Board pursuant to Village Law §7-724, and to the Nassau County Planning Commission pursuant to General Municipal Law §239-m.

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 Bill RVC 2020C. A local law to amend the code of the Village of Rockville Centre in relation to prohibiting certain transient dwelling uses was deferred to the April 5, 2021 meeting at 7:00pm pending receipt of the recommendation of the Nassau County Planning Commission.

On motion of Trustee Baxley, duly seconded by Trustee Howard and unanimously carried the Board adopted proposed Bill RVC 2020H A local law to amend the Code of the Village of Rockville Centre in relation to signs and awnings as Local Law 3 of 2021. A copy of the local law is on file with these minutes.

On motion of Mayor Murray, duly seconded by Trustee Howard and unanimously carried the Board adopted the following resolution Accepting Compensation Offers for The Bay Park Conveyance Project.

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**RESOLUTION ACCEPTING COMPENSATION PROPOSALS  
 WESTERN BAYS RESILIANCE INITIATIVE -  
 BAY PARK CONVEYANCE PROJECT**

**WHEREAS**, the Village of Rockville Centre and the New York State Department of Environmental Conservation are participating in the project known as the Western Bays Resilience Initiative, which includes the Bay Park Conveyance Project; and

**WHEREAS** , the Village Board of Trustees previously has authorized the Village's participation in this project, and authorized the execution of various documents to permit access to and use of Village property in furtherance of such project; and

**WHEREAS**, in furtherance of the project, the Village has consented to use of certain Village properties, and conveyance of certain Village properties and property interests, for which the Village is to be compensated; and

**WHEREAS**, the Village has received various offers of just compensation from the New York State Department of Environmental Conservation, each dated March 4, 2021, each of which offers has been reviewed by the Board of Trustees;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Board of Trustees hereby finds and determines that the following offers of total compensation to be paid to the Village for direct damages, indirect

damages, and temporary easements for the indicated properties and to the extent shown on the referenced maps, are fair and reasonable, and such offers hereby are accepted by the Village:

1. Section 38, Block 452, Lot 307 and Section 36, Block 136, Lot 231; Map 26; Parcels 26, 59, 60, \$167,000.00;
2. Section 38, Block 452, Lot 307; Map 27; Parcels 27, 57, \$265,000.00;
3. Section 38, Block T, Lot 50; Section 38, Block F, Lot 39. Map 28; Parcel 28, \$126,000.00;
4. Section 38, Block F, Lot 39; Map 28; Parcels 29, 58. \$138,000.00;
5. Section 38, Block 291, Lot 17; Map 30; Parcel 30. \$690,000.00;

and it is further

RESOLVED, that the Mayor, or his designee, be and hereby is authorized on behalf of the Village to execute any and all documents reasonably necessary, in form approved by the Village Attorney, to accept the foregoing offers of payment as Full Settlement of the respective claims, and to facilitate the conveyance or transfer of the respective property interests referenced in such March 4, 2021 offers of just compensation.

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On motion of Trustee Howard, duly seconded by Trustee Grillo and unanimously carried the Board approved the following minutes for filing:

1. Special Meeting ----- February 11, 2021
2. Briefing Meeting ----- February 25, 2021
3. Executive Session ----- February 25, 2021
4. Board Meeting ----- March 1, 2021

On motion of Trustee Grillo, duly seconded by Trustee Baxley and unanimously carried the Board voted to convene in executive session at 7:41 p.m. for discussion of pending litigation, collective negotiations pursuant to article fourteen for the civil service law, and legal advice from counsel. Deputy Clerk Wendy Weinstock and Commissioner James Vafeades were in attendance for a portion of the executive session regarding collective bargaining and legal advice from counsel.

On motion of Trustee Howard, duly seconded by Trustee Sepe and unanimously carried the Board approved the following Real Estate Tax Refund Settlements as proposed by Village Tax Certiorari Counsel, Gary Fishberg of Cullen and Dykman LLP.

March 18, 2021

Rockville Centre, New York

Capital One Bank a/k/a North Rocky Realty	71 Lincoln Ave.
JMC Realty, Inc.	198 Long Beach Rd.
CVS Albany, LLC	590 Merrick Rd.
Frank Porchilo	43-45 Clinton Ave.
Gene and Theresa Bandini	230 Merrick Rd.
Gene and Theresa Bandini	247 Maple Ave.
North Village Avenue, LLC	82-84 North Village Ave.
Kings Development Construction	222 Sunrise Highway
Long Island Outdoorsman, Inc.	434 & 438 Sunrise Hwy.
Ardole Associates	54 Long Beach Road
Kabir Yaqubie	91 Park Ave.
North Village Centre, Inc.	43 North Village Ave.
Factor Dynamics	156 Long Beach Ave.
Richard and Vivian DeNise	11 Village Ave.
Rockville Centre 228, LLC (f/k/a/BBS Realty Holdings, LLC)	
288-290 Sunrise Hwy.	
143 North Long Beach Road Associates	143 No. Long Beach Rd.

On motion of Trustee Baxley, duly seconded by Trustee Grillo and unanimously carried, the Board approved, and authorized the Mayor or his designee to execute on behalf of the Village, the Confidential Negotiated Settlement Agreement between the Incorporated Village of Rockville Centre and the Civil Service Employees Association regarding the Sanitation Department's claim for lost overtime pay.

On motion of Trustee Baxley, seconded by Trustee Sepe and unanimously carried, the Board returned to public session at 8:29pm.

On motion of Trustee Sepe, duly seconded by Trustee Howard and unanimously carried the Board authorized Claims Service Bureau to settle the Geico a/s/o DePaula claim as proposed by Claims Service Bureau.

On motion of Trustee Baxley, duly seconded by Trustee Sepe and unanimously carried the Board adjourned the Special Meeting at 8:30pm.

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Kathleen Murray  
Village Administrator/  
Clerk-Treasurer